



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, ९ नवम्बर, १९९४/१८ कात्तिक, १९१६

हिमाचल प्रदेश सरकार

LOCAL SELF GOVERNMENT DEPARTMENT

NOTIFICATIONS

Shimla-171002, the 30th August, 1994

No. LSG-A (2) 3/94. —In exercise of the powers vested in him under section 42 of the Himachal Pradesh Municipal Corporation Ordinance, 1994 (No. 3 of 1994) the Governor of Himachal Pradesh is pleased to order that the following functions to the extent mentioned therein, shall be performed by the Municipal Corporation within its jurisdiction :—

(i) Urban planning including town planning :

(a) Implementation of land-use map notified by the State Government :

Provided that where no such map is notified, the concerned local body, will prepare and implement the local land-use map.

(b) To set apart land for roads, streets, lanes, paths, play grounds, stadia, parks, art and culture, Auditoriums, public meeting grounds, burial grounds, cremation

grounds, manure pits, bus stands, parking, taxi stands, cinema and theatre, goods transport yards, drinking water sources, preparation of building schemes, approval thereof and punishment for violations.

(ii) **Planning for economic and social development :**

- (a) Formulation of schemes for the uplift of poor.
- (b) Generation of employment.
- (c) Implementation of poverty alleviation programmes.

(iii) **Roads and Bridges :**

- (a) Construction and maintenance of roads and bridges except the roads and bridges on National Highway and State Highway, within municipal areas.
- (b) Construction and maintenance of public streets, lanes, by-lanes and pavements.

(iv) **Water supply :**

- (a) Planning provision for construction and maintenance of water supply for domestic and commercial and industrial purposes within the municipal areas :

Provided that execution of Really New Schemes will be in accordance with the decision of Government in each case.

- (b) If the State Government, so requests, the Municipal Corporation may supply water for domestic, commercial and industrial purposes to the areas outside the municipal limits on costs basis to the consumers and Gram Panchayats.
- (c) The Municipal Corporation can request the State Government to undertake the functions specified in (iv) (a) and (iv) (b) through a resolution in this behalf.

(v) **Public Health :**

- (a) Provision of drains and sewerage and sewerage disposal and nallahs.
- (b) Provision of public latrines and urinals their up-keeps.

(vi) **Urban forestry, protection of the environment and promotion of ecological aspects :**

- (a) Creation, maintenance and regulating the use of urban forest blocks.
- (b) Plantation, maintenance and preservation of trees both ornamental and economic within the municipal areas.
- (c) Regulating the plantation, preservation and felling of trees.
- (d) To establish and maintain, refuse, disposal, sites and apparatus.
- (e) To regulate the polluting trade, callings and occupation causing air-water pollution.
- (f) Establishment and maintenance of electric, crematoriums.

- (vii) **Safeguarding the interests of weaker section of society, including the handicapped and mentally retarded :**
- (a) Establishment of orphanage, mental hospitals, administration and care of mentally retarded children and women homes.
- (viii) **Slum improvement and upgradations :**
- (a) Identification of slum areas, formulation of schemes for the rehabilitation of the people living in slums.
- (ix) **Urban poverty alleviation :**
- (a) Identification of urban poor and localities pre-dominately occupied by them.
 - (b) Formulation and execution of schemes for their upliftment.
- (x) **Provision of urban amenities and facilities such as parks, gardens, play grounds, Fitness Centres or Trails :**
- (a) Provision of parks, gardens, play grounds, Fitness Centres or Trails and improvement of existing parks and gardens.
- (xi) **Promotion of cultural, educational and aesthetic aspects :**
- (a) Establishment and maintenance of theatre, Auditoriums etc.
 - (b) Promotion and encouragement of cultural activities.
 - (c) Supervision, control and regulation of new educational institutions upto Sr. Secondary level and technical education upto I. T. I. level in accordance with Government laws in this regard.
 - (d) Supervision over existing educational institutions and report about their working and efficiency to the Government.
 - (e) Suggest remedial measures for improvement of education and educational institutions.
 - (f) To provide facilities within their means for the improvement of education and educational institutions.
 - (g) To promote cultural activities, such as dances, drama, painting and painting competition to encourage and patronage it, artists, painters, dancers and folk artists, to establish writers home, artists home and rest houses for them.
 - (h) Establishment and maintenance of library and reading rooms.
- (xii) **Burial and burial grounds, cremations, cremation grounds and electric crematoriums :**
- (a) To provide and maintenance of burial grounds, cremation grounds and to improve their surrounding and regulate their use.
 - (b) To establish and maintain electric crematorium.

(xiii) Cattle ponds prevention of cruelty to animals :

- (a) Establishment and maintenance of cattle ponds.
- (b) To prevent roaming of stray cattles.
- (c) To provide for and care and upkeep of old and injured cattles.
- (d) To establish and maintain veterinary hospitals.
- (e) To take actions against persons causing cruelty to animals.

(xiv) Vital statistics including registration of births and deaths :

- (a) To provide for maintenance of registration of births and death registers.
- (b) Issuance of births and deaths certificates.
- (c) To keep the population record of the municipal area and annual publication of population statistics including male, female, scheduled castes, scheduled tribes and handicapped and persons living below poverty line.

(xv) Public amenities including street lighting, parking, lots, bus stops and public conveniences :

- (a) Street light.
- (b) Bus stand, bus stop, rain shelter, loading and unloading points.
- (c) Public amenities like latrine, public path, public bath, public ponds, tanks and lakes.
- (d) Sarais, Dharamsalas and night shelters.
- (e) Ferries and boats.

(xvi) Regulation of slaughter houses and tanneries :

Establishment, maintenance, regulations and control of slaughter houses and tanneries.

- Notes.* 1.—These functions shall be performed and powers exercise in accordance with law, rules and bye-laws formed by the Government and Municipal Corporation from time to time.
2. The staff employed on the above services and functions being performed in the municipal areas and belonging to whichever department of the Government shall be subject to the administrative control of the municipalities with immediate effect.

By order,
Sd/-
Chief Secretary.

शिमला-2, 9 नवम्बर, 1994

संख्या एल० एन० जी० 12-25/72.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तु द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से हिमाचल प्रदेश ज़हरी स्थानीय निकाय निदेशालय में लिपिक वर्ग-III (अराजपत्रित) पद के इस अधियूक्तन से संलग्न उपावस्था-1 के अनुसार भर्ती और प्रोन्नति नियम बनाने हैं, अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश ज़हरी स्थानीय निकाय निदेशालय, लिपिक वर्ग-III (अराजपत्रित) पद के भर्ती एवं प्रोन्नति नियम, 1994 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किये जाने की तारीख से प्रवृत्त होंगे।

आदेश द्वारा,

हस्ताक्षरित/-

अ. युक्त एवं सचिव।

[Authoritative english text of this Government notification No. LSG. 12-25/72 dated 9-9-1994 as required under clause (3) of Article 348 of the Constitution of India].

Shimla-171 002, the 9th September, 1994

No. LSG. 12-25/72.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor of Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission is pleased to make the Recruitment and Promotion Rules for the post of Clerks (Class-III) (Non-Gazetted) in the Directorate of Urban Local Bodies, Himachal Pradesh as per Annexure-I appended to this notification, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Directorate of Urban Local Bodies, Clerks (Class-III) (Non-Gazetted) Recruitment and Promotion Rules, 1994.

(2) These rules shall come into force from the date of publication in the Himachal Pradesh Rajpatra.

ANNEXURE 'I'

RECRUITMENT AND PROMOTION RULES FOR THE POST OF CLERK CLASS-III IN THE DIRECTORATE OF URBAN LOCAL BODIES, HIMACHAL PRADESH

1. Name of the post

Clerk.

2. Number of posts

4 (Four).

3. Classification

Class-III (Non-Gazetted)-Ministerial Services).

4. Scale of pay

(i) Rs. 950-35-1160-40-1320-45-1500-50-1800—

For Clerks.—This scale is to be given to the total number of posts in cadre minus the posts which are to be placed in the scales of pay Rs. 1200—2130 (Senior Clerks) and Rs. 1500—2700 (Junior Assistants).

(ii) Rs. 1200-40-1320-45-1500-50-2000-60-2060-

70-2130.—*For Senior Clerks*.—This scale is to be given to 40% of the total number of posts of Clerks in a cadre after a minimum period of five years as Clerks in the cadre and the incumbents of these posts shall be designated as Senior Clerks.

(iii) Rs. 1500-50-2000-60-2060-70-2550-75-2700—

For Junior Assistants.—This scale is to be given upto 40% of the total number of posts of Clerks in a cadre after a minimum period of ten years of service taken together as Clerks and Senior Clerks in the cadre and the incumbents of these posts shall be designated as Junior Assistants.

5. Whether selection post or non-selection post? Non-Selection.

6. Age for direct recruitment

(1) Between 18 to 35 years:

Provided that the upper age limit for direct recruit will not be applicable to the candidates already in service of the Government including those who have been appointed on *ad hoc* or on contract basis:

Provided further that if a candidate appointed on *ad hoc* basis had become overage on the date when he was appointed as such, he shall not be eligible for any relaxation in the prescribed age limit by virtue of his such *ad hoc* or contract appointment:

Provided further that upper age limit is relaxable for Scheduled Castes/Scheduled Tribes/Other Categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government:

Provided further that the employees of the public sector corporations and autonomous bodies who happened to be Government servants before absorption in the public sector corporations/autonomous bodies at the time of initial constitution of such corporations/autonomous bodies, shall be allowed a age concession in direct recruitment as admissible to the Government

servants. This concession will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporation/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after initial constitution of the public sector corporations/autonomous bodies.

Note.—1. Age limit for direct recruitment will be reckoned on the first day of the year in which the post(s) are advertised for inviting applications or notified to the Employment Exchanges as the case may be.

Note.—2. Age and experience in the case of direct recruitment are relaxable at the discretion of the Himachal Pradesh Public Service Commission in case of the candidate is otherwise well qualified.

7. Minimum educational and other qualifications required for direct recruitment.

(i) Should have passed Matriculation with Second Division or 10+2 Examination or its equivalent from a recognised Board/University.

(ii) Should possess a minimum speed of 30 words per minute in English Typewriting or 25 words per minute in Hindi Typewriting :

Provided that the knowledge of typewriting shall not be necessary for recruitment but the selected candidates shall have to qualify the typewriting test prescribed by the respective department within 6 months of his/her appointment with no extension. Thus, if an appointee fails to qualify the typewriting test within a period of six months of his/her appointment, his/her services shall be terminated.

(iii) Leave should be allowed to such persons for learning typewriting, if they are posted to places where typewriting facilities are not available. Such leave would be adjusted against the future leave admissible to them.

Desirable :

Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

Age: N. A.

E. Q.: Yes, as prescribed in Column No. 11.

Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.

90% by direct recruitment and 10% by promotion failing which by direct recruitment.

By promotion from amongst the Class-IV officials who have passed Matric or Hindi (Rattan) with Matric (English as one of the subjects) and also possess 5 years regular service or regular combined with continuous *ad hoc* (rendered upto 31-3-1991) service, if any:

Provided that the incumbents of the post of Class-IV officials so promoted, shall not be considered to be eligible for their next promotion for the post of Senior Assistant until they possess the minimum educational qualification prescribed for direct recruitment in column 7 above.

Note (1)—In all cases of promotion, the *ad hoc* service rendered in the feeder post upto 31-3-91 if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the conditions:—

- (a) that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *ad hoc* basis upto 31-3-1991) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration :

8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees?

9. Period of probation, if any

10. Method of recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods.

11. In case of recruitment by promotion, deputation, transfer, grades from which promotion/deputation/transfer is to be made.

Provided that all incumbent, to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less :

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible person(s) happened to be Ex-servicemen recruited under the provisions of Rule 3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal Pradesh State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

- (b) Similarly, in all cases of confirmation, *ad hoc* service rendered on the feeder post upto 31-3-1991, if any, prior to the regular appointment against such post shall be taken into account towards the length of service :

Provided that *inter-se* seniority as a result of confirmation after taking into account *ad hoc* service rendered upto 31-3-1991, shall remain unchanged.

Note 2—Provisions of columns 10 and 11 are to be revised by the Government in consultation with the HPPSC as and when the number of posts under column 2 are increased.

12. If a D.P.C. exists, what is its composition?

13. Circumstances under which the Himachal Pradesh Public Service Commission is to be consulted in making recruitment

14. Essential requirement for direct recruitment.

As may be constituted by the Government from time to time.

As required under the law.

A candidate for appointment to any Service or post must be :—

- a citizen of India, or
- a subject of Nepal, or
- a subject of Bhutan, or

(d) a Tibetan refugee who crossed over to India before the 1st January, 1962 with the intention of permanently settling in India;

(e) A person of Indian origin, who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India;

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the H. P. Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India.

15. Selection for appointment to the post by direct recruitment.

Selection for appointment to the post in the case of direct recruitment, shall be made on the basis of *visa voce* test, if Himachal Pradesh Public Service Commission or other recruiting authority, as the case may be, so considers necessary or expedient by a written test or practical test, the standard/syllabus etc. of which will be determined by the Commission/other recruiting authority, as the case may be.

16. Reservation

The appointment to this service shall be subject to orders regarding reservation in the service for Scheduled Castes/Scheduled Tribes/Backward Classes and other categories of persons issued by the Himachal Pradesh Government from time to time.

18. Power to relax

Where the State Government is of the opinion that it is necessary or expedient so to do, it may by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect of any class or category of persons or post.

By order,

Sd/-

Commissioner-cum-Secretary.